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HOUSE BILL 590

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

GARY K. KING

AN ACT

RELATING TO OPEN MEETINGS; REVISING ENFORCEMENT PROVISIONS OF  
THE OPEN MEETINGS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 10-15-3 NMSA 1978 (being Laws 1974,  
Chapter 91, Section 3, as amended) is amended to read:

"10-15-3. INVALID ACTIONS--STANDING. --

A. No resolution, rule, regulation, ordinance or  
action of any board, commission, committee or other policymaking  
body shall be valid unless taken or made at a meeting held in  
accordance with the requirements of Section 10-15-1 NMSA 1978.  
Every resolution, rule, regulation, ordinance or action of any  
board, commission, committee or other policymaking body shall be  
presumed to have been taken or made at a meeting held in  
accordance with the requirements of Section 10-15-1 NMSA 1978.

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**State of New Mexico**  
**House of Representatives**

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4 **FORTY-THIRD LEGISLATURE**  
5 **FIRST SESSION, 1997**  
6  
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8  
9 **February 19, 1997**  
10

11 **Mr. Speaker:**  
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13 **Your JUDICIARY COMMITTEE, to whom has been referred**  
14

15 **HOUSE BILL 590**  
16

17 **has had it under consideration and reports same with**  
18 **recommendation that it DO PASS, amended as follows:**

- 19 **1. On page 2, line 15, after "award" strike "damages,".**  
20  
21 **2. On page 2, line 20, after the period insert:**  
22

23 **"A public body defendant that prevails in a court action brought**  
24 **under this section shall be awarded its reasonable attorney fees**  
25 **from the plaintiff if the plaintiff brought the action without**  
**sufficient information and belief that good grounds supported**  
**it.".**

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HJC/HB 590

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Respectfully submitted,

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Thomas P. Foy, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 9 For 0 Against

Yes: 9

Excused: Alwin, Luna, Mallory, Rios

Absent: None

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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March 16, 1997

9

10 Mr. President:

11

12 Your PUBLIC AFFAIRS COMMITTEE, to whom has been  
13 referred

13

14

HOUSE BILL 590, as amended

15

16

16 has had it under consideration and reports same with  
17 recommendation that it DO PASS, and thence referred to the  
18 JUDICIARY COMMITTEE.

17

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19

20 Respectfully submitted,

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\_\_\_\_\_  
Shannon Robinson, Chairman

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Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

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**FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997**

1 HJC/HB 590

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(Chief Clerk)

(Chief Clerk)

4

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Date \_\_\_\_\_

6

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8

The roll call vote was 5 For 0 Against

9

Yes: 5

10

No: 0

11

Excused: Boitano, Garcia, Ingle, Rodarte

12

Absent: None

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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March 21, 1997

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10 Mr. President:

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Your JUDICIARY COMMITTEE, to whom has been referred

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13

HOUSE BILL 590, as amended

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has had it under consideration and reports same with

16

recommendation that it DO PASS.

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Respectfully submitted,

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Fernando R. Macias, Chairman

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Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

1 HJC/HB 590

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4 Date \_\_\_\_\_

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The roll call vote was 6 For 2 Against

7

Yes: 6

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No: Sanchez, Tsosie

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Excused: None

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Absent: None

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